

IN THE UNITED STATES DISTRICT COURT FOR  
THE MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION

FRANCES SPURLOCK and JEFFREY  
SPURLOCK, *et al.*,

*Plaintiffs,*

v.

DAVID A. FOX, *et al.*,

*Defendants.*

No. 3:09-cv-0756

Judge Nixon

**ORDER**

Pending before the Court is Plaintiffs Francis Spurlock, et al.'s ("Plaintiffs") Motion for a Proposed Case Management Order and to Expedite and Limit Discovery ("Plaintiffs' Motion") (Doc. No. 71). Defendants David A. Fox, et al. ("Defendants") responded (Doc. No. 72) and Plaintiffs replied (Doc. No. 73). For the following reasons, Plaintiffs' Motion is **GRANTED**.

This matter came before the Court on September 16, 2009, for a Preliminary Injunction Hearing. At the hearing, the parties requested additional time to complete discovery before presenting evidence to the Court. After reviewing the Court's availability, the parties agreed that the Preliminary Injunction Hearing would be continued to Tuesday, November 3, 2009, at 10:00 a.m. Accordingly, the Preliminary Injunction Hearing in this matter is hereby **CONTINUED to Tuesday, November 3, 2009, at 10:00 a.m.**

Furthermore, in preparation for the Preliminary Injunction Hearing, the Court hereby enters the following Case Management Order:

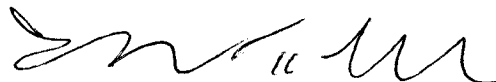
- (1) The parties must provide initial disclosures under Fed. R. Civ. P. 26(a)(1) on or before **Friday, October 9, 2009**;
- (2) All fact witness depositions must be completed on or before **Wednesday, October 14, 2009**;

- (3) All expert witnesses must be disclosed in accordance with Fed. R. Civ. P. 26(a)(2) on or before **Friday, October 16, 2009;**
- (4) Each party will respond to or answer all pending Interrogatories, Requests for Production of Documents, and Requests for Admissions, and deliver said responses or answers to opposing counsel, by **3:00 p.m. on Wednesday, October 21, 2009;**
- (5) All expert witness depositions must be completed on or before **Friday, October 23, 2009;**
- (6) The parties must file final witness and exhibit lists no later than **Monday, November 2, 2009;**
- (7) The parties must confer and create a Stipulation Regarding Discovery, including a list of pre-verified documents to be submitted into evidence, completed no later than **Friday, October 30, 2009.** Regarding documents for which a stipulation cannot be reached, by **Monday, November 2, 2009,** parties shall provide notice of the witnesses required for identification and authentication of such documents during the Preliminary Injunction Hearing.
- (8) In preparation for and during the hearing of this matter, the parties shall provide 24-hour notice of all other witnesses they intend to call.

Finally, parties should note that LR 7.01(b) requires a leave of the Court in order to file a reply memorandum and should take care to follow the local rules when filing motions and corresponding responsive material.

It is so ORDERED.

Entered this the 7<sup>th</sup> day of October, 2009.



JOHN T. NIXON, SENIOR JUDGE  
UNITED STATES DISTRICT COURT